

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

JENNIFER L. KING,

Plaintiff,

V.

SELECT SPECIALTY HOSPITAL –
COLUMBUS, INC., *et al.*,

Defendants.

CASE NO. 2:17-CV-00382

MAGISTRATE JUDGE KIMBERLY A.
JOLSON

**JOINT MOTION FOR LEAVE TO FILE
SETTLEMENT DOCUMENTS UNDER
SEAL**

Plaintiff Jennifer L. King and Defendants Select Specialty Hospital – Columbus, Inc. and Select Employment Services, Inc., pursuant to Local Rule 5.2.1, jointly request that the Court grant leave to allow the parties to file their Joint Motion for Approval of Settlement and the Confidential Settlement Agreement and Release of Claims under seal. The grounds supporting Defendants’ request are set forth in the accompanying memorandum. A proposed Order granting such leave is attached hereto as Exhibit 1.

Respectfully submitted,

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Attorneys for Defendants

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FOR THE SOUTHERN DISTRICT OF OHIO
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JENNIFER L. KING,)	CASE NO. 2:17-CV-00382
)	
Plaintiff,)	MAGISTRATE JUDGE KIMBERLY A.
)	JOLSON
v.)	
)	
SELECT SPECIALTY HOSPITAL –)	MEMORANDUM IN SUPPORT OF
COLUMBUS, INC., <i>et al.</i>)	JOINT MOTION FOR LEAVE TO FILE
)	SETTLEMENT DOCUMENTS UNDER
Defendants.)	SEAL
)	

On July 10, 2017, the parties reached an agreement to settle Plaintiff's claims under the Fair Labor Standards Act ("FLSA"), Chapter 4111 of the Ohio Revised Code, and Ohio's Prompt Payment Act. The parties subsequently executed a Confidential Settlement Agreement and Release of Claims (the "Agreement"). The Agreement provides for the distribution of specific monetary amounts in settlement of Plaintiff's claims. As evidenced by its title, as well as the mutual confidentiality provisions contained in the Agreement, a significant element of the consideration for the Agreement is the parties' mutual confidentiality regarding the Agreement and its terms.

Court approval of parties' settlement of claims is necessary to create an enforceable release of claims under the FLSA. The parties in this matter have negotiated a settlement of complex, disputed factual and legal issues concerning Plaintiffs FLSA claims. Part of the parties' negotiations involved their mutual agreement that the terms of the Agreement would remain confidential. Therefore, maintaining the confidentiality of the Agreement and the parties' Motion for Approval of Settlement serves the interests of both parties, and good cause exists for filing the settlement documentation under seal. Otherwise, the negotiated, mutual confidentiality

provisions in the Agreement will be rendered meaningless. Accordingly, to comply with the terms of the parties' Agreement, the parties respectfully requests that the Court grant their Joint Motion, pursuant to Local Rule 5.2.1, to file the Joint Motion for Approval of Settlement and the Confidential Settlement Agreement and Release of Claims under seal.

Respectfully submitted,

/s/ Greg R. Mansell

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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on July 19, 2017, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Thomas R. Simmons

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SELECT SPECIALTY HOSPITAL –
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MAGISTRATE JUDGE KIMBERLY A.
JOLSON

**PROPOSED ORDER GRANTING
JOINT MOTION FOR LEAVE TO FILE
SETTLEMENT DOCUMENTS UNDER
SEAL**

Before the Court is the parties' Joint Motion for Leave to File Settlement Documents Under Seal. The parties request that their Joint Motion for Approval of Settlement and the Confidential Settlement Agreement and Release of Claims be filed under seal because they contain confidential information regarding the terms of the settlement.

For good cause shown, The parties Joint Motion is GRANTED. It is therefore ORDERED that the parties file the foregoing documents under seal with this Court within seven (7) days of this Order.

SO ORDERED

Dated this _____ day of _____, 2017.

MAGISTRATE JUDGE KIMBERLY JOLSON